

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, namely, 0.1 percent of thimerosal.

Misbranding, Section 502 (a), the label statements "Tincture Thimerosal \* \* \* 1:1000" and "Thimerosal, N. F. 0.1" were false and misleading as applied to the article, which contained less than the stated amount of thimerosal.

DISPOSITION: May 20, 1954. Default decree of forfeiture and destruction.

**4434. Adulteration and misbranding of tincture thimerosal. U. S. v. 10 Bottles \* \* \*. (F. D. C. No. 36697. Sample No. 58328-L.)**

**LIBEL FILED:** March 30, 1954, Northern District of Indiana.

**ALLEGED SHIPMENT:** On or about August 28, 1952, by Ransdell Co., Inc., from Louisville, Ky.

**PRODUCT:** 10 bottles of *tincture thimerosal* at Logansport, Ind. Analysis showed that the product contained 75 percent of the declared amount of thimerosal.

**LABEL, IN PART:** (Bottle) "One Gallon 3.78 Liters Tincture Thimerosal, N. N. R. 1:1000 Sodium Ethyl Mercuri Thiosalicylate (Thimerosal, N. F.) \* \* \* Thimerosal, N. F. 0.1% \* \* \* For External Use Only \* \* \* Interstate Drug Company."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, namely, 0.1 percent of thimerosal.

Misbranding, Section 502 (a), the label statements "Tincture Thimerosal \* \* \* 1:1000" and "Thimerosal N. F. 0.1" were false and misleading as applied to the article, which contained less than the stated amount of thimerosal.

DISPOSITION: May 26, 1954. Default decree of condemnation and destruction.

**4435. Adulteration of adhesive bandages. U. S. v. 32 Boxes \* \* \*. (F. D. C. No. 36743. Sample No. 66245-L.)**

**LIBEL FILED:** May 12, 1954, Eastern District of Michigan.

**ALLEGED SHIPMENT:** On or about November 12, 1953, by the United States Plastic Bandage Co., from Buffalo, N. Y.

**PRODUCT:** 32 boxes of *adhesive bandages* at Detroit, Mich.

**LABEL, IN PART:** "Contains 100 Bandages 1" X 3" Elast Aids Pliable Plastic Bandages."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Adhesive Absorbent Bandage," a drug the name of which is recognized in the United States Pharmacopeia, an official compendium, and its quality and purity fell below the official standard since the article was not sterile.

DISPOSITION: July 13, 1954. The sole intervener having failed to file an answer, judgment of condemnation was entered and the court ordered that the product be destroyed.

**DRUGS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS\***

**4436. Misbranding of Hepavita tablets and Vitamin Formula tablets. U. S. v. Medical Discoveries, Inc., and Charles I. West, M. D. Plea of guilty by**

\*See also Nos. 4426, 4427, 4432-4434.

corporation and nolo contendere by individual. Sentence against corporation suspended. Individual fined \$500 and sentenced to 8 months in jail; jail sentence suspended and placed on probation for 2 years. (F. D. C. No. 33792. Sample Nos. 54886-L, 54887-L.)

INFORMATION FILED: July 8, 1953, Eastern District of Michigan, against Medical Discoveries, Inc., Detroit, Mich., and Charles I. West, M. D., president of the corporation.

ALLEGED SHIPMENT: On or about December 5, 1952, from the State of Michigan into the State of Illinois.

LABEL, IN PART: (Bottle) "Hepavita 100 Tablets \* \* \* Active Ingredients Methionine 100 mgs. Choline Bitartrate 200 mgs. Inositol 100 mgs." and "Medical Discoveries Vitamin Formula 100 Tablets \* \* \* Contents Of Each Tablet Thiamine 5 mgs. Riboflavin 5 mgs. Niacinamide 25 mgs. B<sub>12</sub> 1 mcgm. Niacin 5 mgs."

NATURE OF CHARGE: *Hepavita tablets*. Misbranding, Section 502 (a), certain statements on the bottle label, in the circular entitled "Now It Can Be Told!" and in the leaflet entitled "Directions For Taking Hepavita," accompanying the article, were false and misleading. The statements represented and suggested that the article would be an adequate and effective treatment and preventive for diseases of the kidneys, liver, blood vessels, heart, and other organs when such diseases are associated with high blood fat content; that it would be an adequate and effective treatment for arteriosclerosis, coronary heart disease, cirrhosis of the liver, alcoholism, diabetes, and other diseases associated with high blood cholesterol (blood fats); that it would dissolve blood fats and prevent damage to arteries and internal organs that might be caused by excessive fat in the blood stream; that it would prevent aging of blood vessels and vital organs; that it would keep the blood vessels and vital organs young; that it would prevent attacks of coronary disease, fatty infiltration of the liver, and further damage to the blood vessels in arteriosclerosis; that it would prevent further damage to the liver and other vital organs and repair damage due to alcoholism; that it would prevent artery disease in diabetes; that it would add years to one's life; that it would dissolve dangerous excessive fat particles in the blood stream and vital organs; that it would be an adequate and effective treatment for dizziness, failing memory, irritability, and loss of interest in life, hobbies, and loved ones; that it would bestow pep, energy, general well-being, vim, and vigor; that it would banish strain and fatigue; that it would fight against cerebral hemorrhage (commonly called "stroke") and fatal complications of diabetes; and that it would protect the heart, liver, and blood vessels against the damaging effects of alcohol. The article was not an adequate and effective treatment for such diseases, symptoms, and conditions, and it would not fulfill the promises of benefit stated and implied.

*Vitamin Formula tablets*. Misbranding, Section 502 (a), certain statements on the bottle label and in a leaflet entitled "Medical Discoveries Vitamin Formula Directions for Taking," accompanying the article, were false and misleading. The statements represented and suggested that the article, when used alone or in combination with another drug, namely, *Hepavita tablets*, would be adequate and effective as a prophylactic against aging; and that it would be adequate and effective in the treatment of coronary disease, liver disease, arteriosclerosis, and alcoholism, and in the prevention of artery disease